

is also expected to file comments even if it only resubmits or incorporates by reference its former pleadings. It should also restate its present intention to apply for the channel if it is allotted and, if authorized, to build a station promptly. Failure to file may lead to denial of the request.

3. *Cut-off Procedures.* The following procedures will govern the consideration of filings in this proceeding.

(a) Counterproposals advanced in this proceeding itself will be considered, if advanced in initial comments, so that parties may comment on them in reply comments. They will not be considered if advanced in reply comments. (See Section 1.420(d) of the Commission's Rules.)

(b) With respect to petitions for rule making which conflict with the proposal(s) in this *Notice*, they will be considered as comments in the proceeding, and Public Notice to this effect will be given as long as they are filed before the date for filing initial comments herein. If they are filed later than that, they will not be considered in connection with the decision in this docket.

(c) The filing of a counterproposal may lead the Commission to allot a different channel than was requested for any of the communities involved.

4. *Comments and Reply Comments; Service.* Pursuant to applicable procedures set out in Sections 1.415 and 1.420 of the Commission's Rules and Regulations, interested parties may file comments and reply comments on or before the dates set forth in the *Notice of Proposed Rule Making* to which this Appendix is attached. All submissions by parties to this proceeding or by persons acting on behalf of such parties must be made in written comments, reply comments, or other appropriate pleadings. Comments shall be served on the petitioner by the person filing the comments. Reply comments shall be served on the person(s) who filed comments to which the reply is directed. Such comments and reply comments shall be accompanied by a certificate of service. (See Section 1.420(a), (b) and (c) of the Commission's Rules.)

5. *Number of Copies.* In accordance with the provisions of Section 1.420 of the Commission's Rules and Regulations, an original and four copies of all comments, reply comments, pleadings, briefs, or other documents shall be furnished the Commission.

6. *Public Inspection of Filings.* All filings made in this proceeding will be available for examination by interested parties during regular business hours in the Commission's Public Reference Room at its headquarters, 1919 M Street, N.W., Washington, D.C.

"4"

Aug. 03, 1993

Davel Broadcasting Group
3418 Douglas Rd.
Florissant, Mo. 63034

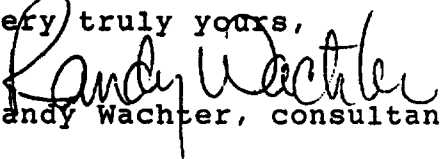
Donna Searcy, Secretary
Federal Communications Commission
Washington, D.C. 20554

RE: Reply comments to 1800B3-LCJ

Dear MS. Searcy:

Enclosed herewith for filing from Davel Broadcast Group are
an original and four (4) copies of a "Petition for Reconsideration"
The documents were prepared by myself in part, signed and reviewed
by William O'dell, president of Davel Broadcasting Group.

Very truly yours,


Randy Wachter, consultant

Aug. 03, 1993

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of

KLZE

Owensville, Mo.

BPH-881110IB

Reply comments to:

1800B3-LCJ

To: Chief, FM Branch, Dennis Williams
Mass Media Bureau

Petition for RECONSIDERATION OF DAVEL BROADCASTING GROUP,
as preapred by William O'dell, President.

Davel Broadcasting Group, William O'dell, President, permitte
of KLZE, Owensville, pursuant to sections 1.106 of the Commissions
Rules hereby petitions for reconsideration ("Petition") letter
1800B3-LCJ as enclosed.

Background

On Nov. 20, 1989, Davel Broadcasting Group, represented by
the General Manager, Michael Robinson, submitted in triplicate
to the Secretary of the FCC, a 302 form, showing completed
construction of BPH-881110IB. A copy is enclosed as "A" along
with a certification statement of construction as "B".

Enclosed as "C" is a copy of letter 1800B3-LCJ supplied to
myself by Randy Wachter, consulting engineer, procured on
July 30, 1993 from the Downtown Copy Center, 1114 21st St. N.W.
Washington, D.C. This document was discovered in research done
by Mr. Wachter in reference to a petition for rulemaking filed
by another Missouri station.

Argument

The permitte respectfully requests the Commission to review
documents "A" & "B", copied from the public file of KLZE,
Owensville, which consists of a 302 form for KLZE, mailed to
the Secretary of the FCC on Nov.20, 1989.

The permitte states that the document "C" was never delivered, or signed by anyone working at or operating KLZE at that time.

Document "D" shows the Commission that a request was made on March 3, 1992, for the inclusion of an additional address of 3418 Douglas Road, Florissant, Mo. 63034, so as to directly access information to Mr. Wachter, who is serving as a consultant to me in these matters.

Documents "E" show that other FCC correspondence has in fact been delivered to the Douglas Road address, in reference to Davel Broadcasting Group or it's stations, KLZE, KYMB.

Davel Broadcastion Group respectfully requests the Commission reconsider it's decision to forfeit the construction permit, and accept the 302 form as submitted.

All work was completed in good faith prior to mailing of Form 302, and I verify that all statements made are accurate, to the best of my knowledge.

The permitte feels regret that the document 1800B3-LCJ was never recieved by Mr. Wachter or anyone receiving mail at KLZE, and will make any additional requirements needed to properly address the matter of BPH-881110IB and the associated 302 form.

DAVEL BROADCASTING CORPORATION

By: 
President

Copy to:

Glen Greisman

KLZE public file

Original and 4 copies to
MS. Donna Seaecy, FCC Secretary

Please address all correspondence concerning this matter to:

Davel Broadcasting Group
3418 Douglas Road
Florissant, Mo. 63034



"A"

ENTERED

NOV 20 1989

COMPUTER _____ MANUAL ☒

MS. DONNA R. SEARCY
SECRETARY
FEDERAL COMMUNICATIONS COMMISSION
1919 M. STREET, N.W.
WASHINGTON, D.C. 20554

Re: KLZE (FM)
Owensville, Mo.

Dear Ms. Searcy:

The following letter is to advise you of the completion of the upgrade, at KLZE in Owensville, Missouri.

All modifications have been completed effective, Monday, November 13th, 1989.

THIS MODIFICATION: is in compliance with Construction Permit, file no. 8811101B, Granted on 3/16/89, to Davel Broadcasting Group, Inc.

If you should have any future question's concerning this matter, please contact the undersigned.

Very truly yours,

Michael A. Robinson
General Manager, for

Davel Broadcasting Group
INC.

FEDERAL COMMUNICATIONS COMMISSION

FM BROADCAST STATION CONSTRUCTION PERMIT



Official Mailing Address:

DAVEL BROADCASTING GROUP, INC.
309 B N. FIRST STREET
OWENSVILLE, MO 65066

Authorizing Official:

Penelope A. Dade

Penelope A. Dade
Supr Applications Examiner, FM Branch
Audio Services Division
Mass Media Bureau

Grant Date: March 16, 1989

Call sign: KLZE

This permit expires 3:00 am.
local time: September 16, 1990

Permit File No.: BPH-8811101B

This authorization re-issued to reflect a change in official mailing address effective 11/13/89

Subject to the provisions of the Communications Act of 1934, as amended, subsequent acts and treaties, and all regulations heretofore or hereafter made by this Commission, and further subject to the conditions set forth in this permit, the permittee is hereby authorized to construct the radio transmitting apparatus herein described. Installation and adjustment of equipment not specifically set forth herein shall be in accordance with representations contained in the permittee's application for construction permit except for such modifications as are presently permitted, without application, by the Commission's Rules.

This permit shall be automatically forfeited if the station is not ready for operation within the time specified (date of expiration) or within such further time as the Commission may allow, unless completion of the station is prevented by causes not under the control of the permittee. See Sections 73.3598, 73.3599 and 73.3534 of the Commission's Rules.

Equipment and program tests shall be conducted only pursuant to Sections 73.1610 and 73.1620 of the Commission's Rules.

Name of permittee:

DAVEL BROADCASTING GROUP, INC.

Station Location:

MO-OWENSVILLE

Frequency (MHz): 95.3

Call sign: KLZE

Permit No.: BPH-8811101B

Channel: 237

Class: C2

Hours of Operation: Unlimited

Transmitter location (address or description):

8 KM SOUTH OF OWENSVILLE, MO NEAR HIGHWAY EE, GASCONADE
COUNTY

Transmitter: Type accepted. See Sections 73.1660, 73.1665 and 73.1670
of the Commission's Rules.

Transmitter output power: As required to achieve authorized ERP.

Antenna type: (directional or non-directional): Non-directional

Antenna coordinates: North Latitude: 38 15 22.0
West Longitude: 91 32 4.0

	Horizontally Polarized Antenna	Vertically Polarized Antenna
Effective radiated power in the horizontal plane (kW) :	50.0	50.0
Height of radiation center above ground (meters) :	93.0	93.0
Height of radiation center above mean sea level (meters) :	368.0	368.0
Height of radiation center above average terrain (meters) :	100.0	100.0
Overall height of antenna structure above ground (including obstruction lighting, if any) :	97.0 meters	

Obstruction marking and lighting specifications for antenna structure:

It is to be expressly understood that the issuance of these specifications is in no way to be considered as precluding additional or modified marking or lighting as may hereafter be required under the provisions of Section 303(q) of the Communications Act of 1934, as amended.

Paragraph 1.0, FCC Form 715 (March 1978):

Antenna structures shall be painted throughout their height with alternate bands of aviation surface orange and white, terminating with aviation surface orange bands at both top and bottom. The width of the bands shall be equal and approximately one-seventh the height of the structure, provided however, that the bands shall not be more than 100 feet nor less than 1 and 1/2 feet in width. All towers shall be cleaned and repainted as often as necessary to maintain good visibility.

Paragraph 3.0, FCC Form 715 (March 1978):

There shall be installed at the top of the structure one 300 m/m electric code beacon equipped with two 620- or 700-watt lamps (PS-40, Code Beacon type), both lamps to burn simultaneously, and equipped with aviation red color filters. Where a rod or other construction of not more than 20 feet in height and incapable of supporting this beacon is mounted on top of the structure and it is determined that this additional construction does not permit unobstructed visibility of the code beacon from aircraft at any normal angle of approach, there shall be installed two such beacons positioned so as to insure unobstructed visibility of at least one of the beacons from aircraft at any normal angle of approach. The beacons shall be equipped with a flashing mechanism producing not more than 40 flashes per minute nor less than 12 flashes per minute with a period of darkness equal to approximately one-half of the luminous period.

Paragraph 12.0, FCC Form 715 (March 1978):

On levels at approximately two-thirds and one-third of the over-all height of the tower, there shall be installed at least two 116- or 125-watt lamps (A21/TS) enclosed in aviation red obstruction light globes. Each light shall be mounted so as to insure unobstructed visibility of at least one light at each level from aircraft at any normal angle of approach.

Call sign: KLZE

Permit No.: BPH-881110IB

Paragraph 21.0, FCC Form 715 (March 1978):

All lighting shall burn continuously or shall be controlled by a light sensitive device adjusted so that the lights will be turned on at a north sky light intensity level of about 35 foot candles and turned off at a north sky light intensity level of about 58 foot candles.

Name of Applicant

Facilities authorized in construction permit

Call Sign KLZE	Frequency 95.3	Antenna height above average terrain Horizontal 100 meters Vertical 100 meters
	Effective radiated power in kilowatts Horizontal 50kw Horizontal maximum * Vertical 50kw Vertical maximum * *Beam tilt antennas only	
File No. of Construction Permit If applicable BPH88		

Station location

State Missouri	City or Town Owensville
--------------------------	-----------------------------------

Transmitter location

State Mo.	County Gasconade	City or Town Owensville	Street address (or other identification) 8km's S. of Owensville on EE Hwy.
---------------------	----------------------------	-----------------------------------	--

Main Studio location

State Mo.	County Gasconade	City or Town Owensville	Number and Street 309 B. N. First
---------------------	----------------------------	-----------------------------------	---

Remote control point location (only if authorized)

State	City or Town	Street address (or other identification)
-------	--------------	--

Operating constants:

C. plate current last radio stage, amperes 3.55a	Applied D.C. voltage in last radio stage, in volts 7600 W.	Efficiency Factor F of transmitter at operating power in percent 64%	Transmitter power output, in kW by indirect method 17,217 W.	RF transmission line meter reading
--	--	---	--	---------------------------------------

Antenna

Antenna make and type No. Shively 6810-6R	Number of Sections 6 Bay	Power gain 3.25
---	------------------------------------	---------------------------

Height of antenna radiation center above ground and mean sea level:	HORIZONTAL	VERTICAL
	93.0 meters (AGL) 368 meters (AMSL)	93.0 meters (AGL) 368 meters (AMSL)

Geographical Coordinates of antenna (to nearest second)

North latitude 38 ° 15 ' 22 "	West longitude 91 ° 32 ' 4 "
--------------------------------------	-------------------------------------

Description of antenna supporting structure

24inch guyed tower (Cross Section Steel)	Elevation in meters of the top of supporting structure above ground (including antenna and other appurtenances and lighting, if any)
---	---

Transmission line

Type Andrews	Type HS 850-B	Description 3 1/8 Standard Heliax
------------------------	-------------------------	---

Size: (nominal inside transverse dimension) in centimeters 1.10	Length in meters 110	Rated efficiency in percent for this length 89.4%
---	--------------------------------	--

In what respect, if any, does the apparatus constructed differ from that described in the application for construction permit in the permit? Attach exhibits to show compliance with all conditions on construction permit.

I, the undersigned, represent the applicant in the capacity indicated below and that I have examined the foregoing statement of information and that it is true to the best of my knowledge and belief.

Name (Please Print or Type) Michael A. Robinson	Signature (Check appropriate box below) <i>Michael A. Robinson</i>
Address (Include ZIP Code) P.O. Box 550 Spartanburg, MO. 65066	Date 11/20/89
	Telephone No. (Include Area Code) 314-437-4175

- | | |
|--|---|
| <input type="checkbox"/> Technical Director | <input type="checkbox"/> Registered Professional Engineer |
| <input checked="" type="checkbox"/> Chief Operator | <input type="checkbox"/> Technical Consultant |
| <input type="checkbox"/> Other (Specify) | |

FIRST CLASS MAIL

ENTERED

NOV 20 1989

COMPUTER _____ MANUAL _____

Exhibit 1

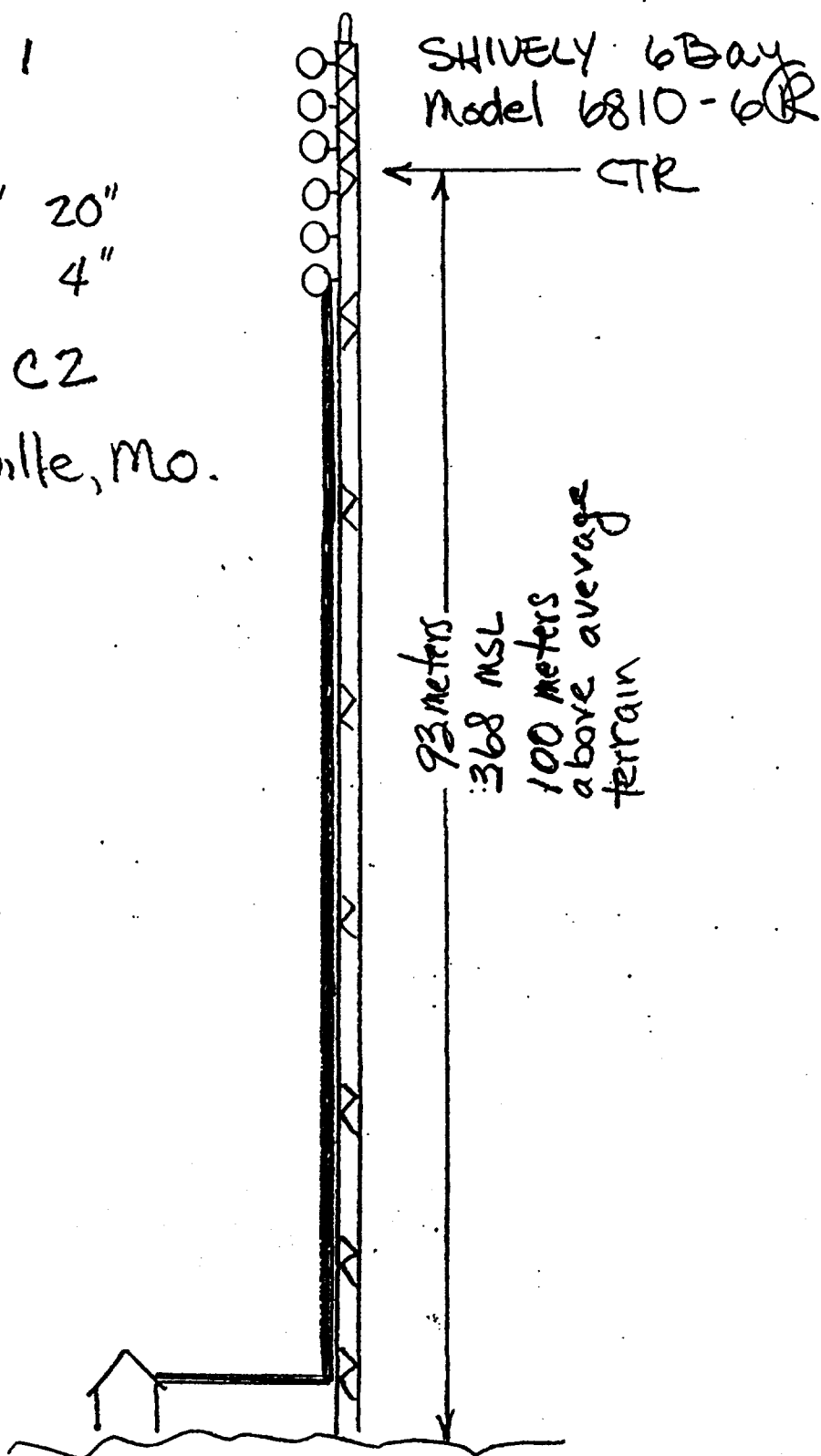
KLZE

38° 15' 20"

91° 32' 4"

227 C2

Owensville, Mo.



Prepared by: Randy Wachter
Randy Wachter Nov 20, 1989

'B'

Serving as a consulting engineer for Mr. O'dell, Davel Group and Mike Robinson, General Manager, KLZE, Owensville, Mo.

I performed and witnessed the following events on or near Nov. 10 - 25, 1989.

I personally consulted, oversaw, and executed the upgrade to a C2 (50,000 watt) facility according to a CP issued to Davel Broadcasting Group, Permit File No.: BPH-881110IB. This upgrade included a new tower, 6 bay antenna, 20K transmitter, 3 inch feedline and a new building.

On 11/20/89 I supplied the General Manager the correct information and drawings to complete the 302 form. Mr. Robinson directed the secretary to type the 302 form and an additional cover letter to the Secretary of the FCC. At my instructions, these documents were sent in triplicate. I witnessed the completion of the forms and their delivery to the U.S. Post Office, Owensville branch, for delivery.

Affidavit:

I, Randy Wachter Randy Wachter, verify that the statements above are accurate, to the best of my knowledge and ability.

Name: Randy Wachter
Address: 3418 Douglas Rd.
Florissant, Mo. 63034
Date: Aug 11, 1993

239

C

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

OCT 22 1992

IN REPLY REFER TO:
1800B3-LCJ

Certified Mail-Return Requested

Davel Broadcasting Group Inc.
309 BN First Street
Owensville, MO 65066

In re: KLZE
Owensville, MO
BPH-881110IB

Licensee:

This concerns the above-referenced construction permit.


Section 73.3599 of the Commission's Rules provides, in pertinent part, that a construction permit shall be declared forfeited if the station is not ready for operation within time specified therein or within such time as the Commission may have allowed for completion.

Your construction permit (BPH-881110IB) was granted on March 16, 1989, and was to have been completed by September 16, 1990.

To date, no FCC Form 302 license application has been filed to cover this construction; nor has an FCC form 307 application requesting extension of time to construct been received.

In view of the above, and in accordance with Section 73.3599 of the Commission's Rules, your construction permit (BPH-881110IB) having been declared forfeited IS HEREBY CANCELLED.¹

Sincerely,



Dennis Williams
Chief, FM Branch
Audio Services Division
Mass Media Bureau

¹ This action has no effect on your facility to operate as licensed by (BLH-871026KD).

"D"

March 03, 1992

Mr. Jorgensen
FM Branch
Audio Services Division, Mass Media Bureau
1919 M. Street N.W.
Washington, D.C.

As per a verbal conversation with your office last week,
I would like to confirm the following addresses for Davel
Broadcasting Group, and myself as consulting eng. Randy
Wachter, for documents referencing Davel, KLZE, Owensville, Mo.
and KYMB, Pawhuska, Oklahoma.

Davel Broadcasting Group, Wm. O'Dell, pres., Randy Wachter,
eng., KLZE or KYMB
Owensville, Mo. 65066

or
3418 Douglas Road
Florissant, Mo. 63034

Please reference all correspondence to both of the above
addresses.

for Bill O'Dell,
Randy Wachter
Randy Wachter, eng.

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt Fee will provide you the signature of the person delivered to and the date of delivery.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

FAC
525 William Penn Way
Pittsburgh Pa. 15258
MELLON BANK
Registered Mail Room

4a. Article Number

4b. Service Type

☐ Registered

☐ Certified

☐ Express Mail

☐ COD

☐ Return Receipt for Merchandise

7. Date of Delivery

8. Addressee's Address (Only if requested and fee is paid)

5. Signature (Addressee)

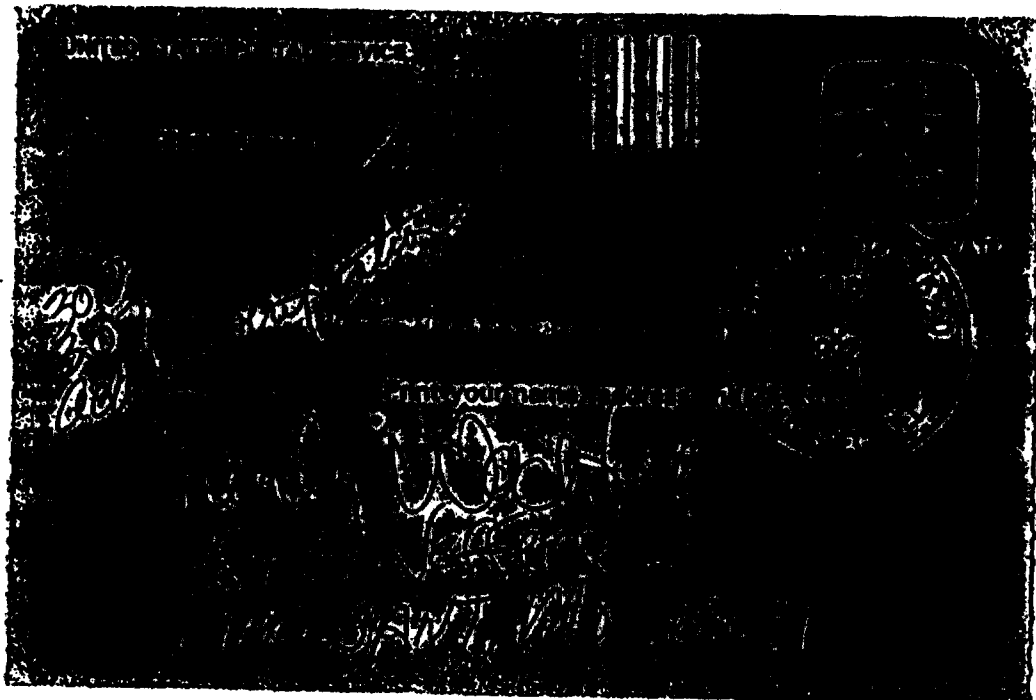
3MBC
Pittsburgh, PA 15258

6. Signature (Agent)

R. Martin MAR 6 1992

PS Form 3811, November 1990 • U.S. GPO: 1991-287-066

DOMESTIC RETURN RECEIPT



5

March 03, 1992

Mr. Jorgensen

FM Branch

Audio Services Division, Mass Media Bureau

1919 M. Street N.W.

Washington, D.C.

As per a verbal conversation with your office last week,
I would like to confirm the following addresses for Davel
Broadcasting Group, and myself as consulting eng. Randy
Wachter, for documents referencing Davel, KLZE, Owensville, Mo.
and KYMB, Pawhuska, Oklahoma.

Davel Broadcasting Group, Wm. O'Dell, pres., Randy Wachter,
eng., KLZE or KYMB
Owensville, Mo. 65066

or

3418 Douglas Road

Florissant, Mo. 63034

Please reference all correspondence to both of the above
addresses.

for Bill O'Dell,

Randy Wachter, eng.

Randy Wachter

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt Fee will provide you the signature of the person delivered to and the date of delivery.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

FCC
525 William Penn Way
Pittsburgh Pa. 15258
15258
MELTON BANK
Registered Mail Room

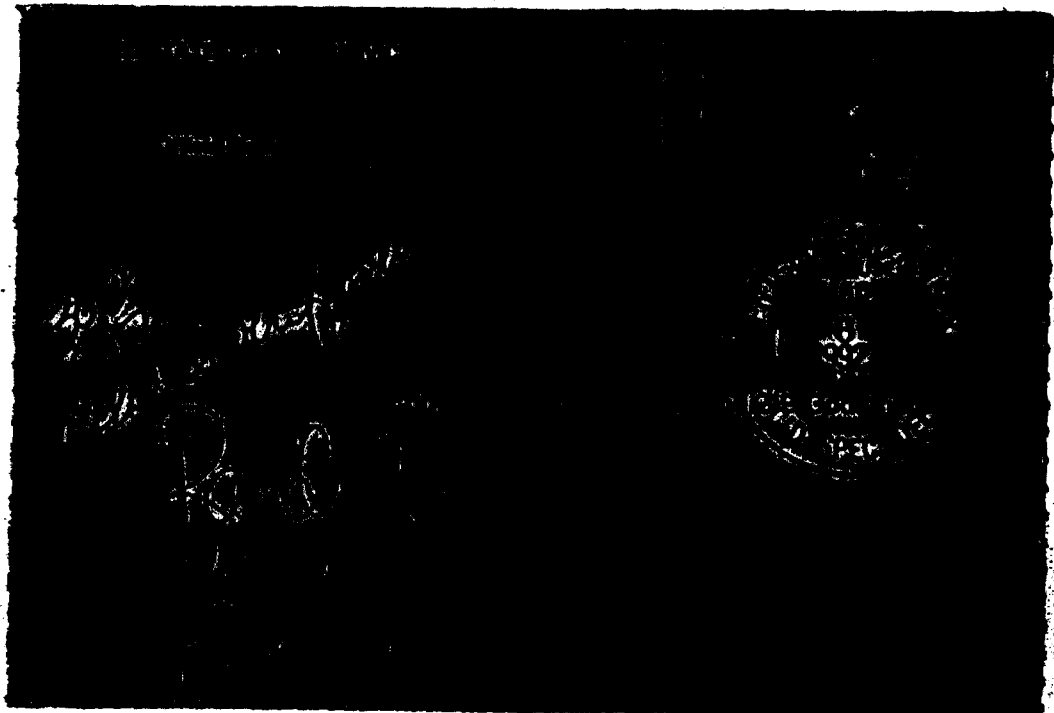
4a. Article Number**4b. Service Type**

- ☐ Registered ☐ Insured
☐ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandise

7. Date of Delivery**8. Addressee's Address (Only if requested and fee is paid)****5. Signature (Addressee)****6. Signature (Agent)**

PS Form 3811, November 1990 *U.S. GPO: 1991-257-006

DOMESTIC RETURN RECEIPT



"E"

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

IN REPLY REFER TO:
1800B3-MAT

OCT 27 1992

Davel Broadcasting Group, Inc.
3418 Douglas Road
Florissant, MO 63134

The 3418 Douglas Road, Florissant, Mo. 63034 address was
on file and used by the FCC to Davel in correspondence dated
Oct. 27, 1992.

APPLICATION FOR EXTENSION OF BROADCAST CONSTRUCTION
PERMIT OR TO REPLACE EXPIRED CONSTRUCTION PERMIT

(CAREFULLY READ INSTRUCTIONS ON BACK BEFORE COMPLETING)

For Commission Use Only

File No.

1. Legal Name of Applicant (See Instruction C) Davel Broadcasting Group Inc.		3. PURPOSE OF APPLICATION: <input type="checkbox"/> a. Additional time to construct broadcast station <input checked="" type="checkbox"/> b. Construction permit to replace expired permit					
2. Mailing Address (Number, street, city, state, ZIP code) 3418 Douglas Road Florissant, Mo. 63034		4. IDENTIFICATION OF OUTSTANDING CONSTRUCTION PERMIT: <table border="1"><tr><td>File Number BPH-8811101B</td><td>Call Letters KLZE</td></tr><tr><td>Frequency 95.3</td><td>Channel No. 237 C2</td></tr></table>		File Number BPH-8811101B	Call Letters KLZE	Frequency 95.3	Channel No. 237 C2
File Number BPH-8811101B	Call Letters KLZE						
Frequency 95.3	Channel No. 237 C2						
Telephone No. (Include Area Code) 314 - 921-2121		Station Location Owensville, Mo.					
5. OTHER: Submit as Exhibit No. <u>1</u> a list of the file numbers of pending applications concerning this station, e.g., major or minor modifications, assignments, etc.							
6. EXTENT OF CONSTRUCTION: <u>Completed</u> (a) Has equipment been delivered? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO If NO, answer the following: From Whom Ordered (If no order has been placed, so indicate)							
Date Ordered		Date Delivery Promised					
		(c) Estimated date by which construction can be completed. <u>Completed</u>					

7. (a) If application is for extension of construction permit, submit as Exhibit No. _____ reason(s) why construction has not been completed.

(b) If application is to replace an expired construction permit, submit as Exhibit No. 3 the reason for not submitting a timely extension application, together with the reason(s) why construction was not completed during the period specified in the construction permit or subsequent extension(s).

8. Are the representations contained in the application for construction permit still true and correct? ☒ YES ☐ NO
If NO, give particulars in Exhibit No. _____

The APPLICANT hereby waives any claim to the use of any particular frequency or of the electromagnetic spectrum as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and requests an authorization in accordance with this application. (See Section 304 of the Communications Act of 1934, as amended.)

The APPLICANT acknowledges that all the statements made in this application and attached exhibits are considered material representations and that all the exhibits are a material part hereof and are incorporated herein as set out in full in the application.

CERTIFICATION

I certify that the statements in this application are true and correct to the best of my knowledge and belief, and are made in good faith.

Legal Name of Applicant William O'Dell Davel Broadcasting Group Inc.	Signature
Title President	Date Aug. 16, 1993

WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND IMPRISONMENT,
U.S. CODE, TITLE 18, SECTION 1001.

Exhibit 1: Current file # for channel # 237 C2 Construction
Permit - BPH-81110IB

Exhibit 2:

The construction was completed on or near, within the week of November 18, 1989. As shown in the following documents, the completed 302 form and cover letter was mailed to the FCC.

Currently, no record appears of this filing. This 307 request is being made in order to refile the 302 form, with appropriate fees.

Exhibit 3: The enclosed documents outline the history of KLZE, including license renewal, the 302 form filing, and the most recent petition for reconsideration, submitted when it became apparent to us that the 302 form was not on file as submitted.

In the request, Davel Broadcast Group Inc., William O'Dell, President, Request the Commission to accept this extension of expired construction Permit BPH-881110IB, so that we can refile the 302 form in a timely manner.

FM Branch
Federal Communications Commission
1919 M. Street N.W.
Washington, D.C.
20554

Aug. 16, 1993

Station KLZE, Owensville, Mo. respectfully requests the Commission permission to go silent due to the following reason: On or near Aug. 1, it became apparent that the C2 construction permit BPH-881110IB was forfeited, due to the fact that the FCC had no record of the receipt of Form 302.

Davel Broadcasting Group Inc., William O'Dell, President, states in a Petition for Reconsideration filed with the Commission on or near Aug 10, 1993: The 302 was indeed filed on or near Nov. 23, 1989.

1) a 307 form was filed on Aug. 16, 1993 requesting an extension of the C.P.

2) This request is necessary because the facility was indeed constructed as a C2, the equipment formerly used as a Class A removed, and the current 20K transmitter and antenna are impossible to operate at such a reduced power to continue broadcasting as a Class A. We are of the opinion that a good chance is available that the Commission will consider the Petition for Reconsideration, and extend the expired construction permit.

Until this matter is resolved, we respectfully request to go silent, due to the above reasons.

The two employees running the station currently, both have other incomes and interests, and will not be affected by this request.

ANTI-DRUG ABUSE ACT CERTIFICATION

The applicant certifies that, in the case of an individual applicant, he or she is not subject to a denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 862a, or, in the case of a non-individual applicant (e.g. corporation, partnership or other unincorporated association), no party to the application is subject to a denial of federal benefits pursuant to that section. For the definition of a "party" for these purposes, see 47 C.F.R. § 1.2002(b).

☒ Yes

☐ No

I, William O'Dell have not been subject to a denial of federal benefits pursuant to Section 5301 of the Anti-Drug Abuse act of 1988.

Aug. 16, 1993.

Daval Broadcasting Group Inc.

By: William O'Dell

President